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No. 80-724

In the

Supreme Court of the United States

OCTOBER TERM, 1980

ANABEL J. McCUTCHEON,

Plaintiff-Petitioner.

vs.

1. BOARD OF EDUCATION CITY OF CHICAGO
2. CAREY B. PRESTON
3. MARGARET WILD
4. HERBERT JOHNSON
5. HENRY McGEE
6. JOSEPH P. HANNON
7. WILLIAM ROHAN
8. GERARD J. HEING
9. NINA JONES
10. CHICAGO PRINCIPALS Local 2, AFL-CIO
11. SAMUEL DOLNICK
12. JOHN CAREY
13. THOMAS NAYDER
14. CATHERINE ROHTER
15. EDGAR G. EPPS
16. CARMEN VELASQUEZ
17. LOUISE MALIS
18. JAMES F. REDMOND
19. GUY BRUNETTI
20. MICHAEL WRENN
21. JAMES MOFFAT
22. THOMAS FINNEGAN
23. BESSIE LAWRENCE
24. ANGELINE CARUSO
25. OTHO ROBINSON
26. SHIRLEY STACK
27. VINCENT J. CONROY

Defendants-Respondents.

Appeal from the United States Court of Appeals for the Seventh Circuit
Judge ROBERT A. SPRECHER
Judge WILLIAM A. BAUER
Judge HARLINGTON WOOD

REPLY BRIEF OF PETITIONER

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REPLY BRIEF OF PETITIONER

NOW COMES the Petitioner, ANABEL J. McCUTCHEON, *Pro Se,* to file a Reply Brief in answer to an UNTIMELY FILED (Nov. 27, 1980) BRIEF FOR RESPONDENTS' BOARD in violation of the U.S. Supreme Court Rule #24. That the Clerks (Edward Schlade and Michael Rodak, Jr.) of the U.S. Supreme Court discrimi-

natingly returned *hers* as alleged untimely but not *his* misinterpreting the rule as "docketing" and not "receipt" of petition" [Ex. A]:

> 1. "Counsel for the respondent shall have thirty days (unless enlarged by the Court or a justice thereof, or by the Clerk under the provisions of paragraph 5 of Rule 34) after *receipt of a petition* [Oct. 14, 1980] within which to file forty printed copies of an opposing brief, disclosing any matter or ground why the cause should not be reviewed by this Court."

and to further distort the record, Defendant Board Attorneys failed to file a dated affidavit, certificate of service and to follow the rules of format, effective July 1, 1980. [They did not present the questions at issue before the Court, but entered a "dog fight" argument with falsified dates and phony issues from those in the record and evidence before the Courts.] That Petitioner also was ordered to revise format placing questions in the front; That respondents followed no format, did not answer the issues or present any evidence for their wild allegations of "dog fight", "absurdity", "she just wants to complain", and "revised appendix", ad infinitum, ad nauseum. For these reasons and those stated herein, Petitioner seeks a Judgment in her favor as follows:

MOTION FOR DISBARMENT OF ATTORNEYS FOR MISCONDUCT, BREACH OF DUTY, NEGLIGENCE

Now Comes the petitioner, as a VICTIM and TAXPAYER, to file a motion for the disbarment of Defendant Board Attorneys MURRAY, HEINEKE, BROWN, ZIELINSKI, SCANLON and Defendant Union Attorneys COPE, ROSENBERG and/or any other proper discipline the Court deems proper, and charges as follows:

1. Petitioner is a resident of the State of Illinois, County of Cook and has held the position of principal in the Chicago Public Schools since Sept., 1963 until Oct. 5, 1977; having taught in the public schools for 18 years previous to her promotion to principal under Board Rules,

"Certificate Requisite to Appointment on Teaching Force" #4-20:

> "No person shall be appointed to any position on the teaching force without the appropriate certificate therefor, nor shall any person be advanced to a higher position for which an examination is provided than that specified in the certificate, without additional examination and proper certificate for such advanced position."

2. Defendant, Chicago Board of Education (the "Board") is now and at all times relevant hereto has been a body politic and corporate maintaining a system of free schools and exercising general supervision and management of public education in Chicago.

3. In a precedent setting action, during December, 1979 (trial of this suit) the Illinois Legislature created the Chicago Finance Authority (the CFA) which was upheld by the Illinois Supreme Court in *Polich* v. *Chicago Finance Authority,* 79 Ill. 2d. 188, *supra* "Brief and Appendix for the Petitioner, Oct. 14, 1980" for the purpose of limiting the spending of funds by the BOARD. A condition of the funding of $800,000,000 of borrowed State funds (not Chicago School Funds) was the dismissal of the individual incumbent Board members (Defendants #2-5, #12-17) and the establishment of a new Board, May 1, 1980.

4. At all said times, Defendant MICHAEL J. MURRAY was, and still is, the duly (politically) appointed, qualified and acting ATTORNEY FOR THE BOARD (old and new) but has never been designated by the Board as an attorney for any individual employee in accordance with Board *Rules*, #2-12:

> "Attorney's Appearance in Legal Proceedings. The Attorney shall appear for and protect the rights and interests of the BOARD . . . in all cases, suits, and proceedings brought by or against the BOARD of Education or any member, officer or employee in his official capacity; provided, however, that when a Board of Education employee is sued personally, even if the cause of action arises out of his official duties, the attorney shall appear for such Board of Education employee only in case the Board of Education directs him to do so."

5. By virtue of the above *Rules*, 2-1, 2-12: it became the duty of Defendant Attorney MICHAEL J. MURRAY and 17 other attorneys under his direction in the matters pertaining herein, to separate themselves (MURRAY and his Assistant EARL B. HOFFENBERG being Defendants in consolidated cases 78 C 3899, 78 C 3955, Nov. 3, 1978 through Nov. 30, 1979) and other individual employees from the Body Politic Board and to conduct such business in public meeting in accordance with the Ill. Rev. Stat., 1975, Chap. 102:

> "#41.1 Public Policy.
>
> It is the public policy of this State that the public commissions, committees, boards and councils and other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of this Act that their actions be taken openly and that their deliberations be conducted openly."

6. As well as to separate individual employees from the Board in the legal actions pending, by virtue of his position as the ATTORNEY FOR THE BOARD and agent of the COURT OF ILLINOIS; it was the duty of Defendant Attorney MURRAY, *et. al.* aforementioned attorneys to advise the BOARD/or UNION EXECUTIVE BOARD and the COURT, 1976 to date when they discovered evidence against individual employees/associate members (HANNON, LAWRENCE, JONES, CONROY, HEING, ROHAN, MOFFAT, FINNEGAN) such as padding of public payroll to grant overpayments of salaries to the male principals, District Three of the Title VII complaint now before the United States Supreme Court:

a) That on August 16, 17, 1977 because of plaintiff's deposition in the law offices of Defendant Attorney PAUL H. HEINEKE (in the presence of HAROLD JOY, member of his firm, and a UNION ATTORNEY) Defendant MURRAY had knowledge of padded payroll figures of all men principles, District Three, 1971, 1972, 1973, 1974, 1975 and continuing to date under an Administrative Compensation Plan that was one of the factors of the bankruptcy of the Board of Education, 1979, causing the schools to be closed for lack of funds.

b) That on Dec. 20, 1979 (the day before Chicago teachers did not get paid) the Board Salary Administrator THOMAS FINNEGAN (politically appointed teacher) without certification required by the State Statutes and Board *Rules,* #4-20 testified that male principal, *supra* KARL SIEWERS, was paid $10,000 over his salary scale by the same employees that brought trivial proceedings against the plaintiff to fire her.

c) That on or before Dec. 20, 1979 Defendant Attorney SCANLON presented a false Board Report of the alleged transfer of male principal DON WATERS, District Three, to the COURTENAY SCHOOL, 1970 as reason for his $10,000 overpayment of salary when DON WATERS was transferred to the Chappell School, 1970 and the COURTENAY School was not in existence until 1973—and was listed in the Budget 1971 (and in Petitioner's Deposition, Interrogatories) as the "Berteau, Hermitage, Trinity Facility".

1) That Petitioner was denied subpoenaed witness by Defendants and upheld by the Court of Judge Leighton: Mary E. Brennan, Assistant Secretary of the Board, who would not falsely certify this phony Board Report as deliberately, maliciously created by Attorneys.

d) That on or before Dec. 20, 1979 Defendant THOMAS FINNEGAN, Salary Administrator testified that male principal, DON RACKY, was overpaid more than $10,000 for merit while he was on 18 months' Board illness leave of absence, March, 1971-Dec., 1972 before any merit evaluation was made; at the same time that petitioner was reduced in salary over $2532—alleging that she was inadequate [Ex. B] BEFORE SHE RECEIVED ANY MERIT EVALUATION at all from Defendant VINCENT J. CONROY, who had established all male principals at higher salaries, at the same time that he had reduced all women, Sept. 1, 1971 with the implementation of this PLAN—the payrolls, W-2 forms for 1971, 1972 being admitted by the Court and then not submitted to the Appellate Court by H. Stuart Cunningham.

e) That in Sept., 1977 Defendant Attorney MURRAY brought secret proceedings against the aforementioned KARL SIEWERS to recover the money by 1979, but no misconduct charges were lodged against him—nor did he have loss of any money—at the same time that plaintiff was maliciously being prosecuted for trivialities behind locked doors. [78 C 3955]

f) That in Sept., 1977 Defendant UNION ATTORNEYS represented Karl Siewers in this action at the same time they denied representation to Petitioner. On Oct. 23, 1980 in other action, they lied about this representation. [Testimony of Defendant FINNEGAN, pp. 636 ff.]

7. By virtue of the Ill. Rev. Stat., 1975 Chap. 122: Sec. 34-49:

> "Contracts, Expense, and Liabilities Without Appropriation"
> "No contract shall be made or expense or liability incurred by the BOARD, or any member or committee thereof, or by any person for or in its behalf, not withstanding the expenditure may have been ordered by the BOARD, unless an appropriation therefor has been previously made. Neither the BOARD, nor any member, committee, officer, head of the department or bureau [MICHAEL J. MURRAY] or employee thereof shall during a fiscal year expend or contract, incur liability in excess of the amounts in the budget. Any contract, verbal or written, made in violation of this section is
>
> "VOID"

it was the duty of ALL DEFENDANTS, the "Defunct" and the "new" BOARD, THE ATTORNEY FOR THE BOARD; and it became the duty of the CHICAGO FINANCE AUTHORITY to void any "secret" agreements with HEINEKE, BROWN,

8. On Octo. 16, 1975 Defendant Attorney MICHAEL J. MURRAY and the UNION ATTORNEYS who represented KARL SIEWERS, then and there well knew, that they could not deny Petitioner, "protection from Suit" under the Ill. Rev. Stat., 1975: § 34-18.1 [Exhibit "C" filed with the EEOC and notarized Oct. 30, 1975] and then discriminatingly represent 15 individual employees [Respondents' Brief, pp. 5-6] in this Title VII action—allegedly under the same statute:

> "Here a mistaken fact was again placed in the record by plaintiff (deliberate lie), which was reiterated many times (deliberate lie), although petitioner knew her statement was incorrect (Gestapo technique of the big lie repeated). Sec. 34-18.1 of Chap. 122 of the Ill. Rev. Stat for 1977 (lie) reads as follows:"
> "34-18.1 *Protection from suit.* The board of education shall insure or indemnify and protect the board, any member of the board or any agent, employee, teacher, student teacher, officer or member of the supervisory staff of the school district against financial loss and expense, including reasonable legal fees and costs. . ."
> "From a period of April, 1973 to April, 1976 there was an insurance policy obtained by the Board of Education pursuant to that statutory directive. That insurance policy had attached to it an endorsement which obligated the insurance company issuing it to protect the Board of Education against financial loss and expense "including reasonable legal fees and costs"

Paragraphs #1 and #3 are lies, misrepresentation negligently and maliciously placed before the Court by Defendants, who not only contradict themselves in these three paragraphs, but also fail to put any evidence in the record of said insurance policy policy they are allegedly implementing on behalf of the Board—nine months, 1, 2,

3, years after it expired. The Title VII suit (76 C 4763) being filed Dec. 1, 1976 and the 78 C 3894 being filed Sept. 28, 1978; the trial started Dec. 17, 1979 and the appeals May, June, July, 1980.

9. On Nov. 1, 1978 by virtue of a ruling of Judge John Grady [Ex D] in consolidated 78 C 3899: Defendant Attorney HEINEKE of the Law Firm of HEINEKE, HEALY, BURKE was ordered to show cause why he was defending individual employees BOARD without a contract made in open meeting as discussed herein in paragraphs 4, 5, and 11: it was his duty to present the evidence of this alleged insurance contract, "April, 1973 - April, 1976" (p. 6 of Respondents' Brief) as it is his duty now to present such evidence, curiously missing from all court records and the Appendix of Respondents' Brief because said contract: 1) did not exist for the alleged date of 1976 and 2) did not exist, 1976-1980, by negligence and violation of the statute.

a) That on Nov. 3, 1978 PAUL HEINEKE, THOMAS BROWN and EARL B. HOFFENBERG, Defendant 78 C 3899, 78 C 3955, went "ex parte" to [Ex E] Judge Leighton (and on Nov. 2, 1978 to Judge Marshall) to improperly consolidate these three cases for which they had no contract or direction (Hoffenberg) to represent the BOARD by their own admission in their own Respondents' Brief above.

b) Subsequently Chief Justice Parsons, transferred these three [Ex F] cases ipso post facto of the consolidation; the male Judges of the Appellate Court, THOMAS FAIRCHILD, LUTHER SWYGERT, WALTER CUMMINGS having no record submitted to them on the previous appeals 78 C 2538, 78-2539, and 78-2545, upheld this wrongful consolidation, not withstanding that

they reprimanded Judge George N. Leighton for consolidating before he had jurisdiction over these three cases. He so reported at the Jan. 19, 1979 status call, wherein Defendant Attorney Brown lied and stated that plaintiff's appeal was of the order of transfer of Chief Justice Parsons creating hostility for plaintiff from Judge George N. Leighton because of his error of taking over the cases before they were transferred to him by Chief Justice Parsons.

10. Plaintiff then and there complied with and performed all legal conditions precedent to the performance of said duty by Defendants in that she served aforementioned individuals with separate summonses; motions for default of each individual who did not answer or file an appearance in the district as well as the appellate courts; answered all interrogatories for the Board and Union with precise terms and salary figures of the overpayment of all males, District Three, and reduction of females District Three; presented W-2 forms, payrolls admitted as the best evidence and filed timely Notices of Appeals and timely Briefs in both the Appellate and U.S. Supreme Court as placed before the Court in her Petition and Appendix, pp. 29a through 31a which includes all the questions placed before the Appellate and Supreme Courts.

11. Defendants BOARD through their Attorneys MURRAY, SCANLON, HEINEKE, BROWN, ZIELINSKI then and there refused and still refuse to perform said duties in violation of the Illinois Statutes and Board *Rules* herein discussed. In addition PAUL H. HEINEKE and THOMAS BROWN filed a motion for reimbursement of their legal fees to individual employees, Dec. 27, 1979—advised 14 certain Defendants subpoenaed witness who did not appear to keep the "witness fees" advanced

to them for their appearance. They were supported by the Court, in that the motion was denied, but the Judgment Order reads recovery of their fees to individuals when Defendants now claim that these fees were paid by the Board under Ill. Rev. Stat., 1975: chap. 122: § 34-18.1. [Pages 5-6 in the Respondents' Brief.]

12. That this new BOARD and Acting General Superintendent CARUSO is precisely charged with limitations of personnel activities (such as described above) and the "cutting" of excessive spendings: it was and is the duty of Defendants General Superintendents: JAMES F. REDMOND, JOSEPH P. HANNON, and ANGELINE CARUSO to account for these expenditures monthly for the printing, court reporters, supplies, etc. in this four-year action by self-appointed attorneys:

> BOARD *RULES*, 5-13: *Purchase Limitations.*
> No purchases shall be made except as provided in these rules. No officer or employee not expressly authorized by these rules shall make any purchase on behalf of the BOARD or enter into any contract of purchases, verbal or written, for any equipment, supplies, SERVICE, repairs, goods. . . Any contract, verbal or written, made in violation of this section is void as to the BOARD. . ."

[Note that these Rules in Section 5 precisely follow the State Statute as cited in paragraph 11.]

Naturally, Defendants do not wish any court to look too closely at their NO CONTRACT TO REPRESENT THE BOARD in this action initiated 1 to 3 years after their contract had expired; Defendants do not wish this august court to investigate the contract of JOSEPH P. MAHRON, which was made without Equal Economic Opportunity for WOMEN—by political appointment in total disregard of the Illinois Fair Employment Practices Act

or the Equal Pay Amendment. That under the "Shakman Decree" that appointment can and will be challenged:

> "Can political sponsorship or other political considerations be taken into account in hiring employees? If so, to what extent can such consideration be taken into account?"*

That the Defendant Attorneys, superintendents, BOARD and the CHICAGO FINANCE AUTHORITY have failed to terminate or restrict the employment, employment benefits of defendant individuals, or to account for the court costs, legal fees expended on their behalf in the legal actions arising out the Title VII complaint and the wrongful discharge of plaintiff.

13. By virtue of the Administrative Compensation Plan, effective Sept. 1, 1971: it was the duty of Defendants to pay plaintiff (and other women principals) at the rate/conversion of an 8% raise granted January, 1971 for ten months' service based on seniority only:

Yearly	$18,810.00	
Vacation	940.50	
Overtime		
Sept. 1-3	282.15	
	$20,032.65	placed before the Court 12/18/79

That all women principals (except Beverly Luptak with a larger school) were reduced $522.89 on Sept. 1, 1971 in order to overpay the men named herein; and Bea Cox (who had filed suit against the Board also) and plaintiff were reduced $2,010 from her published salary of $23,-

* Consent Judgment entered May 5, 1972 by Judge Marovitz, District Judge.

513 on Dec. 11, 1972 ipso post facto of alleged inadequacy for the full year of 1972—such rating and warning never having been given until Nov. 15, 1972 [Pl's Ex. Group #2 admitted before the Court and attached in this Appendix "B"]. This plan calls for no salary reduction.

That male principals KARL SIEWERS, DON WATERS, DON RACKY, RON CESTAR, DOUGLAS MODEROW, MARTIN GRAY, and WILLIAM POLLACK (Counterpart of BEVERLY LUPTAK, LYDIA GLUSS) were not reduced equally. In April, 1973 the other remaining male principals had their school classifications raised on a dwindling enrollment so that they could receive the second "merit" raise at the same time that a ceiling was placed on females.

That Defendants were negligent in their duty in not hearing (BOARD) and representing (UNION) plaintiff in her *grievances—THAT JUDGE LEIGHTON DENIED HER THE RIGHT TO HAVE IN VIOLATION OF THE 1st AMENDMENT) for restoration and equal pay. That they represent and heard BEVERLY LUPTAK, LYDIA GLUSS only after plaintiff filed her EEOC charges.

14. By virtue of his position as ACTING ATTORNEY, 1973, FOR THE BOARD and by virtue of the McCutcheon Complaint, 73 ch 1355: it was the duty of Defendants to report and correct the Administrative Compensation Plan. Defendants had the duty to raise Plaintiff's salary on the basis of an earned "Merit" raise—

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*PP. 138 L 8-25; 13-19: "From the time she began her career (ERROR) as principal, she began filing grievances, complaints, charges" denying her protected constitutional rights with no evidence in the record. Principal: 1963; Complaint 73 ch 1355: 1973; EEOC Charges, 1974.

her evaluation of Level II for the THIRD RATING YEAR, July 1, 1973-August 31, 1974. Defendant THOMAS FINNEGAN lied about this rating, eliminating it from the Defendants' exhibits: "There was a difference in the efficiency ratings of the two individuals as well as the size (alleged no longer factor of merit) of the school" [Transcript, Page 1321 ff]. That Defendant THOMAS FINNEGAN, whom Defendant Attorney HEINEKE attempted to send on vacation [Ex G] during the trial call—and who left the jurisdiction with the silent approval of the Court, Nov. 1-13, 1979: again lied on page 1450, lines 7-15 by stating that Charles Pace received a reduced salary, when the payrolls in evidence (conveniently "lost", altered, and not sent to Appellate Court by H. Stuart Cunningham) AND REMOVED FROM THE DOCUMENTS ALLEGEDLY "OFFERED" TO PLAINTIFF BY THE GOOD-HEARTED DEFENDANTS AFTER SHE FILED A MOTION FOR THEM, show that CHARLES PACE, JACOB SAMUELSON (whole truth left out by Defendant TF) received a raise of over a thousand dollars that their female counterparts were denied at the same school, same office, same desk, same merit II.

At this time Defendant Attorney Heineke was also negligent in his duty by testifying for Defendant TF by stating that Plaintiff received $28,000 (at the same time above men were receiving $29-$30,000) and that Betty Gorman received a salary of $30,000 (at the same time others with comparable schools were receiving $38,000-$40,000 [Lane]); with no evidence and not a shred of truth in *his* testimony, it was accepted over *hers*. That Plaintiff's W-2 forms show lessor salaries than those reported by the Board Defendants; yet the

Honorable Judge Leighton prejudicially permitted this testimony from an attorney. That *his* Court upheld Defendant Attorneys by denying *her* Motion for a Change of Venue . . . which clearly stated their lack of a public ontract [Ex. H].

Whereas, Defendant Attorneys Board (HEINEKE, BROWN, ZIELINSKI) had no contract (admitted by Defendants' Brief, p. 6) in accordance with the Illinois Statutes #34-49 (Supra, par. 7) and #34-18.1 (p. 7) and MURRAY, SCANLON, HOFFENBERG had no authority in supra, par. 12 accordance with Board *Rules,* 2-12 and the DEFENDANT BOARD had no insurance in accordance with the Ill. Stat., 1975: §34-18.1, which the Defendants so glibly cite having knowingly and maliciously been negligent "to insure and indemnify" and present no evidence in the record to support their claim to PUBLIC FUNDS, 1976-1980 TO REPRESENT THE BOARD OR INDIVIDUALS:

[Question #3]

THE PLAINTIFF WAS DENIED A FAIR APPEAL AND EQUAL REPRESENTATION BEFORE THE COURT by this wilful misrepresentation of public attorneys.

[Question #4]

THE CHICAGO FINANCE AUTHORITY IS NOT ANTHORIZED, 1979-1980, BY THE STATE TO HONOR THESE "SECRET" CONTRACTS WITH LAW FIRMS: PAUL HEINEKE AND THOMAS BROWN TO REPRESENT DEFUNCT BOARD MEMBERS, AGENTS, EMPLOYEES made by self-appointed attorneys at public expense.

[Question #5]

THE INDIVIDUAL DEFENDANTS AND THE BOARD ARE THE RECIPIENTS OF ILLEGALLY TRANSFERRED STATE AND FEDERAL FUNDS IN THE FORM OF LEGAL FEES, SERVICES, COURT COSTS IN VIOLATION OF BOARD RULES, 2-12 (*supra,* par. 7) AND THE ILLINOIS STATE STATUTES, chap. 122: §34-49 (*Supra,* par. 7).

Whereas, Defendant Attorneys BOARD (HEINEKE, BROWN, ZIELINSKI) had no contract in accordance with the Statute, #34-49, p. 6] and MURRAY, SCANLON, HOFFENBERG had no direction in accordance with the BOARD *Rules,* 2-12, par. 4] and no authority to represent the BOARD or individuals and the DEFENDANT BOARD was negligent in having no insurance "to insure and indemnify" in accordance with the Ill. Rev. Stat., 1975, §34-18.1, which Defendants so glibly cite without any evidence in the record at any time that said statute was implemented by them, Dec. 1, 1976-1980;

Whereas, these self-appointed BOARD Attorneys MURRAY, SCANLON, HEINEKE, BROWN, and ZIELINSKI filed a false affidavit or no affidavit (SCANLON, ZIELINSKI) in violation of the United States Supreme Court Rule #39 for the BOARD and individual defendants and were prejudicially permitted to practice by the all-male district and appellate courts, despite Plaintiff's petitions, motions for EQUAL REPRESENTATION BEFORE THE COURT AS A WOMAN, NON-ATTORNEY;

1) Plaintiff had to obtain a Right To Sue letter to sue a public body

2) Defendant Attorneys have to obtain a public contract to defend a public body. Ill. Stat. Rev. 34-18.1 **(Res Brief p. 5-6)**

Whereas, these self-appointed BOARD ATTORNEYS MURRAY, SCANLON, HEINEKE, BROWN, and ZIELINSKI also filed a false affidavit (Defendants' Brief and Appendix, p. 4a-15a) regarding procedures and dates, which they simply lied about—SUCH LIES BEING ACCEPTED BY THE COURT WITHOUT EVIDENCE AS FOLLOWS:

1. Pl.'s Evidence	Date of Document	Defendants' Lie
1. Judgment Order p. 45a, line 3	Entered 2/28/80	Entered 2/25/80
March 14, 1980 Transcript Motion Filed 3/12/80 3/14/80 (Pl.'s App. 22a-27a)		Filed 3/14/80 "Disissal of Union" Nov. 1, 1980 Revised—No!
April 4, 1980 Transcript	April 4, 1980	Untimely Filing of Pl.'s Motion for RE-HEARING

Please note that only Defendant Attorney HEINEKE was permitted to speak and misrepresent Plaintiff's Motion as "Dismissal of the Union"; That Defendant Attorney HEINEKE WAS NOT THE UNION ATTORNEY proves the collusion with the BOARD and UNION for larger male salaries.

Judge Leighton's Minute Order, [Pl.'s App. 45a]	Denial of Rehearing March 21, 1980	Untimely Filing of Pl.'s Motion for RE-HEARING March 14, 1980 April 4, 1980
Pl.'s NOTICE OF APPEAL [Pl.'s App. p. 29a]	March 31, 1980	April 4, 1980 BUT NO EVIDENCE OF ANY DATE IN THEIR BRIEF
Pl.'s Supreme Court Brief and Appendix	Docketed 10/14/80 Docketed 10/14/80	Nov. 1, 1980 Revised—No!

These lies and legal trickery were permitted in the Courtroom of Judge Leighton, who also dismissed plaintiff's attorneys before trial over her motion filed in opposition, denied her discovery with her new attorney, forcing her to go *pro se;* in addition Judge Leighton, acknowledging that he was denying plaintiff equal representation ordered her to submit: "Proposed Findings of Facts" and "Conclusions and Law" which she submitted per the form he demanded. That the Defendants submitted opinions: That the Administrative Compensation Plan did not have to be a good one when Defendants failed to prove it "bonafide" necessary in a Title VII defense.

That Judge Leighton never decided on one issue of these "Proposed Findings of Fact" and "Conclusions of Law" because of the many misrepresentations of Defendants as well as the ex parte communications which caused him to declare that this is not "sex discrimination" but "insubordination". That Defendants deliberately misrepresented Plaintiff's reduction and lessor salary, 1971-1972, as a result of her alleged misconduct, 1975-1976 again accepted by the all male Courts WITH NO EVIDENCE IN THE RECORD and with the letters written to H. Stuart Cunningham and true dates failing to be docketed to support Defendants.

Whereas, all Defendants BOARD and UNION suppressed the evidence against other conspirator defendants and against employees they did not represent (KARL SIEWERS, DON RACKY, DON WATERS, RON CESTAR, MARTIN GRAY, JACOB SAMUELSON, and CHARLES PACE) and whimsically fail to file an appearance for JAMES MOFFAT, guilty of "moonlight-

ing", who received an alleged demotion to a school principal's job for such deception at the same time that BEULAH JONES, ANABEL J. McCUTCHEON are fired for trivialities when the above men were overpaid by the padding of public payroll with false enrollment figures;

Whereas, Defendants have failed to answer all the Questions at issue or to support their wild allegations of a "dog fight", not withstanding that the Department of Justice issued a "Right to Sue" Letter, Sept. 28, 1976 six months' after the expiration of their contract, for which they presented no evidence either of the "dog fight" (only worthy of the masculine curs involved in female career, economic, and social rape) or of their alleged rights to represent anyone, in anyway they so desire in all prejudiced male Courts at public expense by misuse of funds—totaling $550,000,000: causing a nation disgrace to CHICAGO.

For the reasons herein discussed, Petitioner seeks a Judgment in her favor against Defendants:

1) for the dismissal/disbarment of Defendant Attorneys for misconduct, breach of duty, negligence or in the alternate a Judgment of Mistrial for which defendants pay all the costs from April, 1976 (expiration of their contract) to present date with an equal amount in damages.

2) for the establishment of a single administrative salary scale for all certified principals and the reduction of overpaid male administrators to that scale or if they are teachers called administrator—in violation of Board Rules, #4-20—THOMAS FINNEGAN, WILLIAM BARTUCE, JORY LEITMAN, and RAYMOND PRINCIPE, *Et. Al.* (politically appointed male teachers) their reduction to the salary scale of teachers.

3) for the restoration of her pay equal to the level of the highest pay because of the overlong discrimination, deliberate and malicious career, economic, and social rape to improvish her following her charges of discriminatory pay.*

4) for punitive damages in an equal amount of back pay;

for emotional damages in an equal amount of back pay;

for social damages in an equal amount of back pay. [76 C 4763 Title VII Principals' Salary Scale]

5) for punitive damages in an amount equal to her teacher salary from Sept. 7, 1976 [for 12 months]—until the time of her return to a position, 1981:

for social damages in an equal amount of her teacher salary, from Sept. 7, 1976 . . .;

for emotional damages in an amount equal to her teacher salary, from Sept. 7, 1976 . . .;

[78 C 3894 consolidated with Title VII Principals Suit]

6) for any other remedy the Court deems proper.

---

* This is the rate of pay of the Lane Technical High School (originally for boys and which still has a "quota" for girls, for which she was denied an interview by Defendants: "NO GIRLS (principals) NEED APPLY, 1973, when Norman Silber, male principal of same seniority and certificate, was placed there by popular vote of Defendant Vincent J. Conroy.

* Rates of pay are specifically stated in Plaintiff's Interrogatories.

MOTION FOR A SUMMARY JUDGMENT OF DEFAULT AGAINST DEFENDANT JAMES MOFFAT

NOW COMES the Petitioner, ANABEL J. McCUTCHEON, *Pro Se*, to move this Honorable Court for a summary judgment of default against Defendant JAMES MOFFAT, Deputy Superintendent Board of Education, City of Chicago, who has failed to file an appearance and who has not been dismissed by the District Court or the Appellate Court.

That said Defendant was served with summons, 1977; specifically named in the Complaint as one of the Board Agents, responsible for "terminating plaintiff's employment with the Board." That he signed an improper suspension notice without any specifications, Sept. 15, 1976, for TEACHER FIRING after Plaintiff's charges to the EEOC, June 15, 1974. Said suspension subsequently lead to her dismissal, Oct. 5, 1977.

Petitioner prays this Honorable Court for an award of punitive damages in an amount not less than $250,000 comparable to her salary losses, Sept. 1, 1971-Jan. 1, 1981 for nine years of discriminatory pay less than that of male principals, District Three—OF WHICH HE WAS ONE with same seniority and certificate as Petitioner. The specific figures of her salary losses were placed before the Court and filed as early as March, 1978 in Plaintiff's Answers to the Union Interrogatories and failed to be submitted to the Appellate Court, 7th Circuit by H. Stuart Cunningham as per Question #2 before this Court. Defendant JAMES MOFFAT is also a member of the UNION—"Men's Club"—who represented him in his recent demotion so that he had no loss of salary, but who failed to represent Petitioner in criminal, suspension, and grievances, 1974-1980.

Petitioner seeks an additional $500,000 for emotional damages of a six-year vexacious delay, the female "put-down" by Defendant, who is boasted to be the "The Hatchet Man" for Defendant Joseph P. Hannon, who fires his critics (if they are women).

That up until he was allegedly demoted to the position of a school principal, Defendant Board Attorneys represented him—but now his name is crossed off the appearance form filed by them since he occurs in Petitioner's Brief, in the role of one of the villains, pp. 26-27.

Petitioner seeks an additional $500,000 for social damages for the social stigma attached to her firing, which this Defunct Deputy Superintendent, maliciously and knowingly perpetrated against her. In addition it is the social practice to award a 30-year teacher, principal with a PERSONNEL DINNER, and to honor her by the attendance of the Board, City Officials; for the teachers of the Audubon Social Club to honor a colleague after 30 years' service; the principals of District Three social club to honor a colleague after 30 years' service; and the members of the Chicago Principals Association to honor a colleague. Petitioner has been deprived of these honors by the manner of her firing.

Not only has social stigma been recognized by the Courts, but it is a peculiar feature of this cause because the above named Defendant (NEVER HAVING BEEN IN THE AUDUBON SCHOOL) signed his name to suspension Charge #3 (scanty and indecent clothing) accusing Petitioner of indecency by hearsay.

Wherefore, Plaintiff seeks redress of grievances by a Judgment of Default against Defendant JAMES MOFFAT, who should not be permitted to ignore the complaint against him in all the Courts.

MOTION FOR A SUMMARY JUDGMENT OF DEFAULT AGAINST DEFENDANT SAMUEL DOLNICK

Now Comes the petitioner, ANABEL J. McCUTCHEON, *Pro Se* to move this Honorable Court for a summary judgment of default against SAMUEL DOLNICK, President of the Chicago Principals Association, who has failed to file an appearance or answer this appeal.

That said Defendant was served with a summons, 1977; specifically named in the Complaint; and served with NOTICE OF APPEAL. That said Defendant, as President of the Chicago Principals' Association and a school principal on leave, acted as a Board Agent in "terminating plaintiff's employment," by testifying against her as a surprise witness on Sept. 26, 1977, although the CPA Governing Board had ordered her representation, Sept. 13, 1976.

At the same time as he acted with the Board to fire her, he represented male principal KARL SIEWERS, without Governing Board order, in charges brought against him for the recovery of $10,000 overpayment of salary under this discriminatory Administrative Compensation Plan. That Defendant SAMUEL DOLNICK suppressed this evidence against the male principal, but failed to represent Petitioner, ANABEL J. McCUTCHEON at any time for grievances, criminal or suspension charges:

FOLLOWING HER CHARGES AGAINST HIM, EEOC, Count IV in this suit: 76 C 4763. Petitioner prays this Honorable Court for punitive, emotional, and social damages of not less than $1,000,000 from this Defendant, who also must not be permitted to "thumb

his nose" at the Courts by failing to file an appearance in the Appellate [Pl.'s App. 14-a-15a] and the U.S. Supreme Courts.

MOTION FOR SUMMARY JUDGMENT OF DEFAULT AGAINST DEFENDANT CHICAGO PRINCIPALS ASSOCIATION — AFL-CIO

Now Comes the Petitioner, ANABEL J. McCUTCHEON, *Pro Se* to move this Honorable Court for a summary judgment of default against the Chicago Principals Association, which has failed to file any answer to the questions pending before the Court as the Union was dismissed before trial; before the revelation that they discriminatorily represented MALE PRINCIPAL, KARL SIEWERS in Board Proceedings against him for the recovery of $10,000 overpayment of salary at the same time that women principals were reduced. That the Union suppressed the evidence against a fellow male, not a Defendant, pertinent to an early resolution of this complaint, 1976 [Transcript, Dec. 20, 1979 pp. 636ff.]

That the Union failed to represent female petitioner at the same time, Sept., 1977, it was representing MALE PRINCIPAL, KARL SIEWERS. That Judge Leighton erred (and was upheld by the all male appellate court) in not rehearing the deliberate SEX DISCRIMINATION —listening only to BOARD ATTORNEY HEINEKE (who had filed no appearance to represent the UNION, but was always permitted to speak on anything he so desired) on April 4, 1980 AFTER HE HAD DENIED PLAINTIFF A REHEARING.

That the union failed to represent Petitioner against male District Superintendents, Defendants ROHAN, HEING, Associate Members with lessor standing than Petitioner,

in the matter of equal pay; That Gerard J. Heing was also overpaid, $10.000 in 1975-1976 through a computer error, which granted him the senior pay of VINCENT J. CONROY, instead of his rightful pay of the MATHER HIGH SCHOOL and this fact was misrepresented to Judge Leighton, who refused Plaintiff's Offer of Proof [Pl.'s Ex. Group 12]; said group exhibits not being submitted to the Appellate Court deliberately by H. Stuart Cunningham, who "sent up" the complete record on April 17, prematurely, when plaintiff had an extension of time. [Pl.'s App. 40a-41a]. [Question #2]

Petitioner seeks judgment against the Chicago Principals Association, court costs, legal fees as per Count II of the Amended Complaint, 1977, and Plaintiff's Answers to the CPA Interrogatories, March, 1978 with the Court Costs and additional fees of the last three years.

Petitioner seeks punitive, social, and emotional damages of not less than $1 000,000 for the retaliatory action against her, documented in her affidavit, August, 1978—not submitted to the Appellate Court by H. Stuart Cunningham (Question #2). That said Union Attorney failed to represent her—after he was so ordered by the Governing Board, who had voted such representation, Sept. 13, 1976. That subsequently, she was forced to enjoin them in this suit, Dec. 1, 1976.

That the men of the Union "Club", too, must not be above the law so that they do not answer the complaint of a woman from the time of its filing with the EEOC [Pl.'s App. 63a-70a], 1975 to the U.S. Supreme Court.

CONCLUSION

Respondents would like the Court to disregard the national disgrace they perpetrated as a DEFUNCT BOARD —Defendants who no longer exist as a Board of Education because of their mismanagement of funds, personnel as detailed in Petitioner's complaint, trial, and appeals.

Respondent Attorneys would like the Court to disregard their contribution to Chicago's national disgrace—

Respondents would like the Court to disregard the questionable political appointment by City Hall of a "BUSINESS MAN" SUPERINTENDENT (without equal opportunity for qualified females)—alleging that he is not a Defendant WHEN THAT IS NOT THE ISSUE BEFORE THE COURT BUT HIS APPOINTMENT WITH CONTROL OF THE PURSE STRINGS OVER THE FEMALE ACTING Superintendent with lessor salary and no residential benefit to live out of Chicago.

Respondents would like the Court to disregard the 1978 appointment of a black woman, Leona Collins, to the Audubon School ipso post facto of Petitioner's Amended Complaint, 1977, charging Defendants with paying white male principal. EUGENE RICHARDS, at Audubon $3,000 more for the same job, same school, same office, same rating.

Respondents would like the Court to disregard the fact that Leona Collins was subpoenaed to testify against Defendant Employers and to produce the staffing records, payrolls of John Kulautter subpoena was not quashed; she did not appear. The witness fees of $31.00 was not

returned; and this was permitted by the Black Judge Leighton, with whom Defendant Attorneys had had "ex parte" communication, Nov. 3, 1978 [Ex. E] immediately after her appointment, Sept. 1978.

Respondents would like the Court to disregard Defendants open "search" for a "BLACK MAN" MANFORD BYRD and the political intimidation upon all Whites now perpetrated by Jessee Jackson dictating to a Board predominately BLACK—that the Superintendent shall be a "BLACK MAN"—now the only requirement for the highest administrative position in the Chicago Public Schools.

CERTIFICATE OF SERVICE

I hereby certify that I served three copies of the foregoing Reply Brief to Respondents were sent by first class mail, postage prepaid on Dece. 26, 1980 to counsel representing the parties to the proceedings and to the Attorney General pursuant to Rule 28 C cited on page iii of Question 6 of my "Petition For a Writ of Certiorari to The United States Court of Appeals For the Seventh Circuit", docketed Oct. 14, 1980.

ANABEL J. McCUTCHEON

Apt. 3B, 1917 Tanglewood
Glenview, Ill. 60025
312-328-1630

1. MICHAEL J. MURRAY
2. PAUL HEINEKE
3. THOMAS BROWN
4. RON COPE
   ANCEL, GLINK, DIAMOND
5. QUERRY, HARROW, GULANIK,
   KENNEDY
6. JAMES MOFFAT

APPENDIX

EXHIBIT A

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D.C. 20543

December 11, 1980

Ms. Anabel J. McCutcheon
1917 Tanglewood Drive
Apartment 3B
Glenview, Illinois 60025

Re: Anabel J. McCutcheon v. Board of Education of Chicago, et al., No. 80-724

Dear Ms. McCutcheon:

In reply to your letter of December 6, 1980, you are informed that insofar as this office is concerned the brief of the respondents referred to was timely filed. Your corrected petition for writ of certiorari was not received and filed in this office until November 3, 1980, and respondents' brief therefore would not have been due until December 3, 1980.

The brief in fact was filed on November 28, 1980. This case was distributed to the Court on December 3 and if you wish to file a reply brief you should do so, as provided for in Rule 22.5 of the rules of this Court.

Very truly yours,

/s/ Michael Rodak, Jr.
Michael Rodak, Jr.
Clerk

cc: Michael J. Murray, Esq.
Ronald Cope, Esq.
Paul H. Heineke, Esq.

B

W-2

Type or Print Employer's Identification Number, Name and Address

36-6005821-W
BOARD OF EDUCATION, CITY OF CHICAGO
228 N. LA SALLE STREET
CHICAGO, ILLINOIS 60601

WAGE AND TAX STATEMENT - 1971

Copy C - For employee's records

1 Amount of salary payroll deductions or sick pay exclusions
2 Add any item to wages in figuring the amount to be reported as wages and address of your Director for details
3 The social security (F.I.C.A.) rate of 5.2% includes 4% for Hospital Insurance Benefits and 4.6% for old-age survivors, and disability insurance

Federal Income Tax Withheld	Wages, tips, other compensation Paid in 1971	Other Compensation 2 Paid in 1971	F.I.C.A. Employee Tax Withheld 3	Total F.I.C.A. Wages Paid in 1971	Wages paid subject to State withholding in 1971
3065.47	15,329.76				15329.76

TYPE OR PRINT EMPLOYEE'S SOCIAL SECURITY NUMBER → 328-22-2295

Name of State	State Form No.	State Tax Withheld
ILLINOIS	IL W-2	383.25

"LK 158 SEQ 125 UNIT 2110
ANABEL J MCCUTCHEON
[illegible] TANGLEWOOD DR
GLENVIEW IL 60025

EMPLOYEE'S STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NO.	DATE PAID	PAY PERIOD	CURRENT TIME	OVERTIME	PAY PERIOD NO.
0595-256611	12/30/71	12/13/71-12/24/71	10.00	00.00	

SOC. SEC. NO. | NAME | TITLE | UNIT

328-22-2295 ANABEL J MCCUTCHEON E0510 2110

CURRENT EARNINGS	INCREMENT	OVERTIME	SALARY ADJUSTMENT	TOTAL GROSS	NET PAY	CLASSIFICATION
904.35	0.00			904.35	475.00	POS.10192

DEDUCTIONS

01- 63.31	02- 139.66	FWTEX 100	
03- SINGLE	04- 0.00	SWTEX 00	
05- 209.00	09- 17.30		

YEAR TO DATE

A- 19,509.76	B- 4,180.00		
C- 15,329.76	D- 3,065.47		
E- 23.5	F- 0.0		
G- 2.0	H- 383.25		

DEDUCTION CODES

01 - PENSION
02 - FED. INCOME TAX
03 - B OF E HOSPITALIZATION CONTRIBUTION
04 - BLUE CROSS DEDUCTION
05 - ANNUITY
06 - UNION DUES
07 - CRUSADE OF MERCY
08 - BONDS
09 - STATE INCOME TAX

YEAR TO DATE CODES

A - TOTAL GROSS
B - NON-TAXABLE GROSS
C - ARABLE GROSS
D - FED. INCOME TAX
E - SICK LEAVE BAL.
F - PER. BUSINESS DAYS
G - VACATION ACCRUAL
H - STATE INCOME TAX

BOARD OF EDUCATION · CITY OF CHICAGO

W-2

WAGE AND TAX STATEMENT - 1972

Copy B - To be filed with Employee's FEDERAL tax return

1 Amount is before payroll deductions or sick pay exclusions.
2 Add this item to income in reporting wages and salaries on your income tax return.
3 The social security (FICA) rate of 5.2% includes 0% for hospital insurance benefits and 4.8% for old-age, survivors, and disability insurance.

U.S. Treasury Department, Internal Revenue Service — Type or Print Employer's Identification Number, Name and Address

36-6005821-W
BOARD OF EDUCATION, CITY OF CHICAGO
228 N. LA SALLE STREET
CHICAGO, ILLINOIS 60601

FEDERAL INCOME TAX INFORMATION			SOCIAL SECURITY INFORMATION		
Federal Income Tax Withheld	Wages 1 Paid Subject To Withholding 1972	Other Compensation 2 Paid in 1972	FICA Employee Tax Withheld 3	Total FICA Wages Paid in 1972	Wages paid subject to state withholding in 1972
63935.23	17,516.54				17516.54

TYPE OR PRINT EMPLOYEE'S SOCIAL SECURITY NUMBER → 328-22-2295

Name of State	State Form No	State Tax Withheld
ILLINOIS	IL W-2	437.93

3 BLK 152 SEC 219 UNIT 211
[illegible] J MCCUTCHEON,

EMPLOYEE'S STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NO	DATE PAID	PAY PERIOD	TIME CURRENT	TIME OVERTIME	PAY PERIOD NO
0325-002166	12/29/72	12/11/72-12/22/72	10.00	00.00	

SOC. SEC NO | NAME | TITLE | UNIT

328-22-2295 ANABEL J MCCUTCHEON E0510 0503

CURRENT EARNINGS	INCREMENT	OVERTIME	SALARY ADJUSTMENT	TOTAL GROSS	NET PAY	CLASSIFICATION
904.35	0.00			904.35	423.34	POS.10192

DEDUCTIONS

01- 63.31	02- 341.59	FWTEX 100	
03- SINGLE	04- 0.00	SWTEX 00	
05- 260.00	09- 16.11		

YEAR TO DATE

A- 22,563.54	B- 5,047.00		
C- 17,516.54	D- 3,985.23		
E- 30.0	F- 0.0		
G- 8.19	H- 437.93		

DEDUCTION CODES

01 - PENSION
02 - FED. INCOME TAX
03 - B OF E HOSPITALIZATION CONTRIBUTION
04 - BLUE CROSS DEDUCTION
05 - ANNUITY
06 - UNION DUES
07 - CRUSADE OF MERCY
08 - BONDS
09 - STATE INCOME TAX

YEAR TO DATE CODES

A - TOTAL GROSS
B - NON-TAXABLE GROSS
C - TAXABLE GROSS
D - FED. INCOME TAX
E - SICK LEAVE
F - PER. BUSINESS DAYS
G - VACATION ACCRUAL
H - STATE INCOME TAX

B-

Reduction in Salary, 1973 McCutcheon Principal's Salary less for 10 school months (McCutcheon Teacher's Salary)

Published Teacher Salary Won by Chicago Teacher's Union for 39 weeks of work, 1973

--$19,251.00 McCutcheon Salary per week $452.17

41
45217
180868
$1853897

Cop
Crystal Ellers

Loss of Salary $713.03

Loss of Pension _____

Loss of Tax-Sheltered Annuity Benefits _____

Increased Income Tax? Because of Loss of Annuity Benefits? _____

Teacher's Salary

EMPLOYEE'S STATEMENT OF EARNINGS AND DEDUCTIONS

CHECK NO	PAY TO THE	FOR WORK PERIOD	CURRENT	OVERTIME	PAY PERIOD NO
0109-784977	12/28/73	12/13/73-12/21/73	10.00	00.00	

SOC SEC NO	NAME		TITLE	UNIT
328-22-2295	ANABEL J MCCUTCHEON		EU510	0503

CURRENT EARNINGS	INCREMENT	OVERTIME	SALARY APPROPRIATION	TOTAL GROSS	YEAR PAY	CLASSIFICATION
925.78	0.00			925.78	417.46	PO3.10192

DEDUCTIONS

01- 64.81	02- 139.55	FeTEX 100	
03- SINGLE	04- 0.00	SeTEX 00	
05- 28d.00	09- 15.94	UTCU = 10	

YEAR TO DATE

A- 23,084.54	B- 5,700.00		
C- 17,924.54	D- 4,105.10		
E- 7.0	F- 0.0		
G- 6.61	H- 448.13		

12/18

BOARD OF EDUCATION - CITY OF CHICAGO

DEDUCTION CODES
01- PENSION
02- FED INCOME TAX
03- B CR E HOSPITALIZATION CONTRIBUTION
04- BLUE CROSS DEDUCTION
05- ANNUITY
06- UNION DUES
07- CRUSADE OF MERCY
08- LOANS
09- STATE INCOME TAX

YEAR TO DATE CODES
A- TOTAL GROSS
B- NON-TAXABLE GROSS
C- TAXABLE GROSS
D- FED INCOME TAX
E- SICK LEAVE BAL
F- PER BUSINESS BAL
G- VACATION ACCRUAL
H- STATE INC TAX

EXHIBIT B

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, COUNTY DEPARTMENT, CHANCERY DIVISION

No. 73 CH 1355

IN CHANCERY

ANABEL J. McCUTCHEON,

Petitioner,

v.

BOARD OF EDUCATION OF THE CITY OF CHICAGO, ILLINOIS, et. al.,

Respondents.

ANSWER

The Board of Education of the City of Chicago, a body politic and corporate, Dr. Vincent J. Conroy, Superintendent, District Three, Dr. Otho M. Robinson, Assistant Superintendent-Personnel, Dr. Angeline Caruso, Associate Superintendent, Area C, Manford Byrd, Jr., Deputy Superintendent, Howard L. Denton, Jr., Assistant to the Deputy Superintendent, and Thomas Finnegan, Salary Administrator, by Michael J. Murray, their Attorney, in answer to the complaint herein say as follows:

24. Further Answering they allege that petitioner received a Level I rating because of her inadequate performance as principal during the performance appraisal period, as alleged in paragraphs 12 and 13-14 above.

25. They deny the allegations of paragraph 25, deny any amount is due or that there should be any accounting. Further answering, they allege petitioner was paid and received full salary in the amount of $23,513.10.

WHEREFORE, respondents pray that the petition for mandamus, injunction and other relief may be denied and that judgment be entered herein for respondents and their costs.

BOARD OF EDUCATION OF THE CITY OF CHICAGO, etc., et al.,
By _____
JAMES F. REDMOND
General Superintendent of Schools.

Plaintiff's Exhibit Group 2
REDUCTION OF SALARY—WOMEN

MICHAEL J. MURRAY
Acting Attorney
Board of Education of the
City of Chicago
228 North LaSalle Street
Chicago, Illinois 60601
641-3900

BOARD OF EDUCATION
City of Chicago
Law Department
228 North LaSalle Street
Chicago, Illinois 60601

October 16, 1975

Michael J. Murray
Attorney
Telephone 641-3900

Mr. Samuel L. Dolnick, President
The Chicago Principals Association
221 N. LaSalle Street
Chicago, Illinois 60601

Re: *Anabel J. McCutcheon, Legal Defense*

Dear Mr. Dolnick:

This is in response to your letter of October 14, 1975 to Dr. Joseph P. Hannon, General Superintendent of Schools, copy of which was sent to the Law Department. Your letter encloses copy of Summons and Complaint in an action for disorderly conduct against a school principal where the school engineer is the complainant. You state that you wish to bring to our attention the responsibility of the Board of Education to defend the principal as provided in Sections 34-18 and 34-18.1 of the Illinois School Code.

We find no right of defendant to a legal defense by the Law Department under the Illinois School Code. We call your attention to the Rules, Board of Education of the City of Chicago, Chapter 2, sec. 2-12 in this regard and suggest that Defendant seek legal representation from private counsel in the above matter.

Sincerely,

/s/ Michael J. Murray
Michael J. Murray
Attorney

October 30, 1975

MJM,REG:gp
cc: Dr. Joseph P. Hannon

/s/ Anabel J. McCutcheon
Anabel J. McCutcheon

UNITED STATES DISTRICT COURT
Northern District Of Illinois
Eastern Division

Name of Presiding Judge, Honorable John Grady

Cause No. 78 C 3899 Date Nov. 1, 1978

Title of Cause — Anabel J. McCutcheon vs. Chicago Board of Education, Et Al Wrongful Principal Dismissal by Kangaroo Court of Fabricated Charges

Brief Statement of Motion — Plaintiff's Motion for Defendants to show cause why Attorney Paul H. Heinke is solicting, petitioning the Clerk of the U.S. District Court to consolidate three federal cases, in which said Attorney is not the Attorney of Record.

Names and Addresses of moving counsel — Pro Se
Anabel J. McCutcheon

Representing — Anabel J. McCutcheon, Plaintiff
Apt. 3B: 1917 Tanglewood
Glenview, Illinois 60025

Names and Addresses of other counsel entitled to notice and names of parties they represent —
Michael J. Murray, Attorney
Chicago Board Of Education
228 North LaSalle Street
Chicago, Illinois 60601
Chicago Board Of Education
Michael J. Murray
Mrs. Carey B. Preston
Earl B. Hoffenberg
Joseph P. Hannon
William Rohan
Gerard J. Heing
Mario Garofalo

Notes — Plaintiff requests a hearing on motion at 3:00 p.m., Nov. 1, 1978, or as soon after as the court deems proper and has notified all the above parties to the case by mailing them notice by first class mail, placed in the mail chute at the Central Post Office, Clark Street, Chicago, Illinois on October 23, 1978—at 3 p.m.

/s/ Anabel J. McCutcheon

Notes — Ptff's Motion for defts to show cause why Attorney Heinke is petitioning the Clerk of the District Court to consolidate three federal cases, entered. Defts to file written responses to pltff's Motion by November 13, 1978

/s/ John Grady
Judge

UNITED STATES DISTRICT COURT
Northern District Of Illinois
Eastern Division

Name of Presiding Judge, Honorable George Leighton
Cause No. 76-C-4763 Date November 3, 1978
Title of Cause — Anabel J. McCutcheon vs. Chicago Board of Education et al.
Brief Statement of Motion — To clarify motions of plaintiff and to resist surrender of court files or original documents to plaintiff.
Names and Addresses of moving counsel — Michael J. Murray — 228 N. LaSalle St., Chicago 60601
Paul H. Heineke — 135 S. LaSalle St., Chicago 60603
Representing Defendants
Names and Addresses of other counsel entitled to notice and names of parties they represent. — Ronald S. Cope — 111 W. Washington St., Chicago 60602
Attorney for plaintiff
Anabel J. McCutcheon — plaintiff
1917 Tanglewood Drive, Apt. 3B, Glenview, Ill. 60025
Notes — Pursuant to the Court's Views as expressed on the record No Order is entered on the Motion to Resist surrender of Court Files etc. The defendants are granted to November 23, 1978 to file Memoranda in support of Motion to Dismiss directed at 78 C 3894, 78 C 3399 and 78 C 3955. The Answer of plaintiff to be filed on or before December 12, 1978. Reply to be filed on or before December 28, 1978. Court will rule on January 12, 1979 via mail Cause set for status on January 19, 1979.

/s/ Leighton
Judge

Nov. 7, 1978

UNITED STATES DISTRICT COURT
Northern District Of Illinois

IN THE MATTER OF:
ANABEL J. MCCUTCHEON,

VS.

THE BOARD OF EDUCATION,
Case No. 78 C 3894

TRANSFER OF CASE TO THE EXECUTIVE COMMITTEE FOR REASSIGNMENT

The above-captioned cause is currently pending on my calendar. I recommend to the Executive Committee that this case be reassigned to the calendar of Judge Leighton. The reasons for my recommendation are indicated on the reverse of this form.

/s/ Illegible
Judge

Dated: November 6, 1978

EXHIBIT F

ORDER OF THE EXECUTIVE COMMITTEE

IT IS HEREBY ORDERED that the above-captioned cause be and the same hereby is reassigned to the calendar of Judge Leighton.

ENTER:
FOR THE EXECUTIVE COMMITTEE
/s/ James B. Parsons
Chief Judge

Dated: 8 NOV 1978
Reassign/Named Judge

UNITED STATES DISTRICT COURT
Northern District Of Illinois
Eastern Division

Name of Presiding Judge, Honorable George N. Leighton
Cause No. 76 C 4763 Date September 14, 1979
Title of Cause — Anabel J. McCutcheon v. Chicago Board of Education, et al
[Thomas Finnegan]
Brief Statement of Motion — Motion to permit one of main witnesses for defense to vacation the first two weeks in November
Notes — Motion will be entered; the court will not rule thereon. Defendants are required to maintain contact with the Minute Clerk of this Court with regard to the progress of this case to the top of the trial list.

/s/ Leighton
Judge

IN THE UNITED STATES DISTRICT COURT
For The Northern District Of Illinois
Eastern Division

ANABEL J. MCCUTCHEON,

Plaintiff,

vs.

CHICAGO BOARD OF EDUCATION, Et. Al.
CHICAGO PRINCIPALS ASSOCIATION

Defendants.

76 C 4763 Title VII
Consolidated
78 C 3894 Wrongful
78 C 3899 Dismissal
78 C 3955 Firing

AFFIDAVIT VERIFYING FOREGOING PETITION FOR CHANGE OF VENUE OR IN THE ALTERNATE A MOTION TO DISQUALIFY JUDGE GEORGE N. LEIGHTON ON THE GROUNDS OF PREJUDICE

I, ANABEL J. McCUTCHEON, being first duly sworn on oath, depose and state:

I am the Plaintiff in the above-entitled causes, representing myself:

That at no time in the above-entitled actions have the Law Firm of QUERREY, HARROW, GULANIK, & KENNEDY or the ATTORNEY RON COPE, Chicago Principals Association, AFL-CIO represented me or had my consent to represent me: although I continually requested representation from my UNION of 30 years from the period of my reduction in salary, September 1, 1971 as a WOMAN PRINCIPAL in District Three without due process or administrative redress; that on March 3, 1973 I filed a Mandamous Action 73 Ch 1355 against an inequitable Administrative Compensation Plan because of the failure of my Union to even obtain grievance hearings or appeals on my behalf;

That I have read the foregoing petition "For a Change of Venue or in the alternate a Motion to Disqualify Judge George N. Leighton on the Grounds of Prejudice" by me subscribed;

That the facts stated therein are true and correct to my personal knowledge or are matters of record or of law and in either case are true.

That I have served a copy of the foregoing NOTICE OF MOTION, Petition For A Change of Venue and this Affidavit on the eight Defendant Attorneys CHICAGO

BOARD OF EDUCATION; the LAW FIRM of QUERREY, BARROW, GULANIK & KENNEDY; RON COPE; and DEFENDANT SAMUEL DOLNICK, President Chicago Principals Association by delivering it to their business addresses to the Secretary, Receptionist in charge on September 10, 1979.

.....

Anabel J. McCutcheon

Subscribed and Sworn Before Me
September 15, 1979

In The United States District Court
For The Northern District Of Illinois
Eastern Division

Anabel J. McCutcheon,

Plaintiff,

vs.

The Chicago Board Of Education, Et. Al.,
The Chicago Principals Association, AFL-CIO,

Defendants.

No. 76 C 4763, Title VII Equal Pay Suit
Consolidated With:
No. 78 C 3894 Wrongful
78 C 3899 Dismissal
78 C 3955 Firing

PETITION FOR CHANGE OF VENUE OR IN THE ALTERNATE A MOTION TO DISQUALIFY JUDGE GEORGE N. LEIGHTON ON THE GROUNDS OF PREJUDICE

NOW COMES the Plaintiff to petition this Honorable Court for a Change of Venue or in the alternate to move to disqualify Judge George N. Leighton on the grounds of prejudice, hostility towards Pro Se Plaintiff.

Prejudicially, on August 27, 1979 Judge Leighton entered a false record to favor Defendant President of the Union, Samuel Dolnick, still enjoined in Count IV of the Title VII suit and erroneously dismissed by the Court and his own attorneys: Querrey, Harrow, Gulanik & Kennedy and the Union Attorney, Ron Cope.

That the Court refused to amend the false record it had entered: "That the Plaintiff was represented by the Law Firm of Querrey, Harrow, Gulanik & Kennedy, requested by Defendant SAMUEL DOLNICK, President of the Chicago Principals Association" . . . who has no authority to retain attorneys for the PLAINTIFF UNDER ANY LAW that the Court alleges the Plaintiff "doesn't know".

That the Court has never corrected the false record of Nov. 3, 1978, docketed Nov. 7, 1978: "Ron Cope, Attorney for the Plaintiff" — the same order consolidating all four cases above BEFORE THEY WERE TRANSFERRED TO JUDGE GEORGE N. LEIGHTON AFTER THE FACT OF THEIR CONSOLIDATION.

That the Union was dismissed in Count II on the sole "Affidavit" argument of President Samuel Dolnick, who alleged that the Union did not discriminate against "women principals" in 1977, 1978 (after the wrongful dismissal of Plaintiff) WHEN THE CAUSE OF ACTION AGAINST THE UNION, filed with EEOC, June, 1975 under the Retaliation Clause of Section 706 of the Civil Practices Act of 1974, 42 U.S.C. Section 2000 e-5 WAS THE FAILURE OF THE UNION TO REPRESENT PLAINTIFF in Grievances, Salary Reduction, Confiscation of Accumulated Benefits by Associate MALE MEMBERS Defendants HEING, ROHAN against whom

EEOC charges were filed—acknowledged in a Dolnick letter to the Chairman EEOC Donald Muse, but denied in his sworn "AFFIDAVIT".

That this specific Union and Dolnick misrepresentation is docketed before the U.S. Supreme Court, §79-125 and that the entering by Judge George N. Leighton of a false record of alleged representation by the Law Firm of Defendant Samuel Dolnick in a hostile and biased manner is prejudicial and unjust: That Plaintiff is vindictively denied trial in this five-year old Equal Pay Suit because she exercised her right to petition the U.S. Supreme Court for the erroneous dismissal of Defendant Union, Sam Dolnick, whom the Court permitted to walk away from Count IV on the allegation of dismissal by the Law Firm of Querrey, HARROW, GULANICK & KENNEDY, LTD.

That NOTICE OF THIS APPEAL was filed on Oct. 30, 1978 and the Court prejudicially denied the documents to be "sent up" to the Appellate Court and denied the public record to the Pro Se Plaintiff.

In an unfair and biased manner, the Court has established a privileged class of eight Defendant Chicago Board of Education Attorneys, permitted to character assassinate, ridicule, mock, intimidate, interrupt, harass, snicker, make faces, and mumble rudely during the Pro Se Plaintiff's presentations:

That the ATTORNEY for the Chicago Board of Education, MICHAEL J. MURPHY and the Assistant Attorney, EARL D. HOFFENBERG are Defendants in the Consolidated Cases 78 C 3899 and 78 C 3955; have failed to separate themselves from the body politic according to the Rules an Procedures [Bd. Rep. §74-456,

May 8, 1974 and Bd. Rep. §77-105 January 26, 1977]; and are unqualified to represent the Board or any Defendant Employee in accordance with the Rules, 2-12: Attorney's Appearance in Legal Proceedings"—a copy being submitted to the Court on July 20, 1979 with Plaintiff's Motion in Limine, which the Court discriminatingly failed to rule on;

That Attorney Paul H. Heineke is unqualified under the Ill. Stat. Rev., 1975, Chap. 102: Section 41-44 and Chap. 122: 34-49 because his contract expired Dec., 1974 and the recorded date of the filing of the Title VII case is Dec. 28, 1976; the Amended Complaint being filed Nov., 1977 and erroneously entered on Aug. 27, 1979 as the alleged date of filing;

That Paul H. Heineke was privileged to ignore the Nov. 1, 1978 order of Judge Grady to show cause why he is petitioning H. Stuart Cunningham, Clerk of the District Court to consolidate three cases he is unqualified to represent: That this is an issue before the U.S. Supreme Court which Judge Leighton has permitted Defendant Attorneys to argue, harass Plaintiff in over 40 memoranda, briefings, motions October, 1978 to date without permitting *Pro Se Plaintiff* to speak against these privileged attorneys: without making a decision on the motions of the Plaintiff;

That Attorney Thomas P. Brown also has no public contract made in Open Meeting to represent the Board or Defendant employees; that he too, solicited the consolidation of these cases from H. Stuart Cunningham, Clerk of the District Court on Oct. 16, 1978 in violation of the United States Supreme Court Rule #39; his appearance being filed on Oct. 20, 1978 AFTER THE

FACT OF HIS SOLICITATION OF THESE CASES;

That the Court discriminatingly refused a decision on Plaintiff's Motion in Limine, July 20, 1979; denied her equal and fair representation before this Court on Aug. 29, 1979 to speak against Attorney Brown being added in violation of the State Laws;

That the Court admitted Attorney Brown, not the Attorney of Record in this Equal Pay Suit AFTER THE HEARING WAS TERMINATED on Aug. 27, 1979; WHEN HIS MISREPRESENTATION IS AN ISSUE, docketed in the U.S. Supreme Court, 78-1705—and that now he is placed on this suit AFTER THE FACT OF THIS MISREPRESENTATION;

That Judge George N. Leighton admitted on Aug. 27, 1979 that these cases must be tried singly, but has failed to bring any one to trial on the flimsy excuses of Defendant Attorneys.

Plaintiff is bringing this petition at the earliest possible date in view of the dates these things happened and in view of the fact of the whimsical, capricious, and arbitrary orders of the Court for trial—acknowledging the Petition for Writ of Certiorari—July 6, 13, 20, 1979: so Defendants have no grounds for complaint that they were lately notified: the major incidents occurring on July 20-Aug. 27, 1979 when Plaintiff was prepared for trial BUT DEFENDANTS WERE NOT.

Over and above a statutory petition for change of venue this Pro Se Plaintiff has a right to move to disqualify the Judge for the specific grounds herein stated: Plaintiff has a right to be heard and her cause adjudicated by a fair and impartial Judge, which is not

Judge George N. Leighton. As stated above he's been hostile, beligerent, and prejudicial in order to punish her for daring to represent herself and challenge the actions of the Defendant Attorneys.

Plaintiff McCutcheon not only has a right to a fair and impartial Judge, but there must be such an atmosphere about the proceedings to assure HER a fair and impartial review of her complaint; an appeal free from harassment of unqualified Defendant Attorneys.

Wherefore, Plaintiff, representing herself, petitions for a change of venue from Judge George N. Leighton or in the alternate moves to disqualify him and that her case be sent back to the presiding Judge to be reassigned for a speedy trial to another Judge.

.....

Anabel J. McCutcheon

Apt. 3B: 1917 Tanglewood Drive
Glenview, Illinois 60025
328-1630

May 8, 1974

74-456

PAY BILL OF JENNER AND BLOCK
FOR LEGAL SERVICES

RECOMMENDATION:

That the bill of Jenner and Block in the amount of $4,750 for professional services rendered from November, 1973 through March, 1974 be paid.

DESCRIPTION:

Judgment has been entered for defendants in the suit of Charles Eugene Rhodes, et al. v. City of

Chicago in Trust for the Use of School,s et al., 73 C 1425 which is an action in Federal District Court, for injunctive relief and damages against the Board of Education, Dr. James F. Redmond, Michael J. Murray, Frank S. Righeimer and Richard E. Girard involving the acquisition of property for an addition to the site at Van Vlissingen School. A notice of appeal has been filed to the Court of Appeals 7th Circuit by plaintiffs.

Because the Board, its Attorney, Special Attorney and an Assistant Attorney in the Law Department are named as defendants it was necessary as we previously reported that outside counsel be retained to defend the case. The firm of Jenner and Block has submitted a statement for legal services which is on file in the Office of the Secretary.

SUPPORTIVE DATA:

The charges for professional services are proper and reasonable are the usual and customary charges made by Jenner and Block for such services in federal court actions; that the services rendered were required and satisfactorily performed.

FINANCIAL:

Charge to 14-1-101-41. Legal Expenses.....$4,750.

Respectfully submitted,

MICHAEL J. MURRAY
Attorney

Prepared by:
FRANK S. RIGHEIMER
Special Attorney
Within Appropriation:
ROBERT STICKLES
Controller

77-105

January 26, 1977

RESOLUTION

Burger v. *Board of Education of the City of Chicago, Saul Samuels, Blaine DeNye,* 75 L 10160
Winburg v. *B and C Electric, Inc., Board of Education of the City of Chicago and Saul Samuels,* 74 CH 7338

It is hereby resolved that the Board of Education pay the reasonable legal fees incurred by Saul Samuels, former Director, Bureau of Architecture, and Blaine DeNye, a Board employee in defending the above causes of action in which the Board of Education is a co-defendant, and is represented by the Law Department. Statement for said reasonable legal fees will be submitted to the Law Department and is subject to Board of Education approval. *The Attorney is directed* to take steps to recoup said fees in the event a final judgment is rendered finding the individual defendants were not acting under the direction of the Board within the course of scope of their duties.

(Letterhead of)
LAW OFFICES
QUERREY, HARROW, GULANICK & KENNEDY, LTD.
LaSalle Bank Building—Suite 3600
135 South LaSalle Street
Chicago, Illinois 60603
(312) 236-9850

November 21, 1977

H. Stuart Cunningham
Clerk of the Court
United States District Court
219 South Dearborn
Chicago, Illinois

RE: Anabel McCutcheon v. Chicago Board of Education, et al Court No.: 76 C 4763

Dear Mr. Cunningham:

Please be advised that our office is no longer involved in the above-captioned matter as our party [Sam Dolnick] has been dismissed from the lawsuit. Please change your records by deleting our law firm name from your mailing list. Thank you.

Sincerely,

Paul A. Rettberg

PAR/jar
cc: Anabel J. McCutcheon,
Apt. 3B
1917 Tanglewood Drive
Glenview, Illinois 60625

UNITED STATES DISTRICT COURT
Northern District Of Illinois
Eastern Division

Name of Presiding Judge, Honorable George N. Leighton

Date September 14, 1979

Cause No. 76 C 4763 Consolidated With

Title of Cause — McCUTCHEON vs. CHICAGO BOARD OF EDUCATION, Et. Al TITLE VII EQUAL PAY SUIT FOR WOMEN PRINCIPALS

BRIEF STATEMENT OF MOTION

PETITION FOR A CHANGE OF VENUE OR IN THE ALTERNATE A MOTION TO DISQUALIFY JUDGE GEORGE N. LEIGHTON ON THE GROUNDS OF PREJUDICE

Names and Addresses of moving counsel—ANABEL J. McCUTCHEON, Apt. 3B: 1917 Tanglewood Drive Glenview, Illinois 60025
Representing HERSELF

Names and Addresses of other counsel entitled to notice and names of parties they represent—
PAUL H. HEINEKE
Heineke and Shrader
135 South LaSalle Street
Chicago, Illinois 60603
Ron Cope, Attorney
Chicago Principals Association
180 North LaSalle
Chicago, Illinois 60601
Att. James Scanlon
Chicago Board of Education
228 North LaSalle Street
Chicago, Illinois 60601

THOMAS P. BROWN, Attorney
221 North LaSalle Street
Chicago, Illinois 60601

NOTES—Defendant may file a response to plaintiffs petition for a change of venue or in the alternative a motion to disqualifying Judge Leighton, by Sept. 21, 1979. Plaintiff may file a reply brief by Sept. 28, 1979. The court will rule by mail on Oct. 5, 1979.

/s/ Leighton
Judge

UNITED STATES DISTRICT COURT
Northern District Of Illinois
Eastern Division

Name of Presiding Judge, Honorable George N. Leighton

Cause No. 78 C 3899 Date Nov. 2, 1979

Title of Cause—McCutcheon vs. Chicago Board of Education: "Kangaroo Court"

Brief Statement of Motion—Plaintiff's Motion for Defendants to show cause why they should not be held in contempt of Court for failure to comply with the Nov. 1st orders of Judge Grady

Names and Addresses of moving counsel—Anabel J. McCutcheon, Pro Se, Apt. 3B: 1917 Tanglewood Drive, Glenview, Illinois 60025
Representing—Herself

Names and Addresses of other counsel entitled to notice and names of parties they represent.—Attorney Paul Heineke, 135 South LaSalle St. (4); Attorney Michael J. Murray, 228 North LaSalle Street (01); Attorney Thomas P. Brown. 221 North LaSalle Street (01)

Reserve space below for notations by minute clerk

Plaintiff's motion is denied. Examination of the record discloses that plaintiff lacks ground for this motion.
Hand this memorandum to the Clerk.
Counsel will not rise to address the Court until motion has been called.

United States District Court, Northern District Of Illinois
Eastern Division

Name of Presiding Judge, Honorable George N. Leighton
Cause No. 78 C 3894 Date Nov. 2, 1979
Tite of Cause: McCutcheon v. Chicago Board of Education
Brief Statement of Motion: Plaintiff's Motion for Defendants to show cause why Attorney Thomas P. Brown is representing employees Chicago Board of Education without a public contract made in Open Meeting [Ill. Rev. Stat. 34-18.1] The rules of this court require counsel to furnish the names of all parties entitled to notice of the entry of an order and the names and addresses of their attorneys. Please do this immediately below (separate lists may be appended)

Names and Addresses of moving counsel: Anabel J. McCutcheon, *Pro Se,* Apt. 3B: 1917 Tanglewood Drive, Glenview, Illinois 60025
Representing: Herself

Names and Addresses of other counsel entitled to notice and names of parties they represent.—Attorney Paul Heineke, 135 South LaSalle Street (04); Attorney Michael J. Murray, 228 North LaSalle Street (01); Attorney Thomas P. Brown, 221 North LaSalle Street (01)

Reserve space below for notations by minute clerk

This motion is denied. Examination of the record of this case shows that Thomas P. Brown, Esq. has complied with all the statutes and rules governing his appearance as counsel in these proceedings.
Hand this memorandum to the Clerk.

Counsel will not rise to address the Court until motion has been called.